

**KEPPEL OPP'N EXH. 42**



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2 XIV and XV, have you received updates about  
3 the status of this litigation?

4 A. Yes.

5 Q. And can you describe what those  
6 updates say?

7 A. Not specifically, no.

8 Generally, I was aware that  
9 there was a problem with the investment and  
10 there was some litigation involved.

11 But other than knowing there was  
12 litigation involved, I didn't really pursue  
13 anything or probe into it.

14 MR. KUMAGAI: Okay. I'd like to  
15 mark a document that's been previously  
16 introduced as Defendant Exhibit 38.

17 (Previously marked  
18 Defendant Exhibit 38 for  
19 identification shown to the witness.)

20 THE WITNESS: Is something  
21 supposed to be happening?

22 MR. KUMAGAI: Yes. It might  
23 take a minute, Alvin, to load up. If  
24 you hit "refresh," you might see it.

25 THE WITNESS: Hit "refresh"...

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2 MR. KUMAGAI: Or if you click on  
3 that folder to the left that says  
4 "Marked Exhibit" again.

5 THE WITNESS: There it is.

6 Okay. Got it.

7 So you want me to open this?

8 MR. KUMAGAI: Yes, please.

9 THE WITNESS: Okay.

10 BY MR. KUMAGAI:

11 Q. Do you recognize this document,  
12 Mr. Albe, which is a document that's marked  
13 Defendant Exhibit 38?

14 A. No, I don't recognize it.

15 Q. It appears to be a meeting  
16 invitation for an investment committee  
17 meeting for Fund XIV on June 27, 2011.

18 Do you see that?

19 A. Yes.

20 Q. Does this refresh your  
21 recollection in any way about the  
22 meeting --

23 A. No.

24 Q. The answer is no?

25 A. No.

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2 Q. What, if anything, do you recall  
3 about the two meetings where the Funds XIV  
4 and XV investment committees approved the  
5 investments in Sete Brazil?

6 A. I don't recall anything.

7 Q. Do you recall whether any  
8 shipyards were discussed at either of those  
9 two meetings?

10 A. No.

11 Q. Did anyone discuss risks of  
12 corruption or bribery associated with the  
13 investments in Sete Brazil?

14 A. I don't recall.

15 Q. Was any Keppel entity discussed  
16 at any EIG investment committee meeting  
17 that you attended?

18 A. I don't recall.

19 MR. KUMAGAI: I'd like to  
20 introduce another document. Tab 9.

21 This will take a minute.

22 THE WITNESS: So I should  
23 click --

24 MR. KUMAGAI: You can close that  
25 one, yeah.

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2 THE WITNESS: Okay.

3 MR. KUMAGAI: I'd like to  
4 introduce a document with the Bates  
5 stamp TCW --

6 THE WITNESS: Hold on. I'll hit  
7 the "refresh" again. There it is.  
8 All right.

9 MR. KUMAGAI: You got it? Okay.  
10 So I'm just introducing a  
11 document with the Bates stamp TCW 165,  
12 which has been marked as Defendant  
13 Exhibit 118.

14 (Defendant Exhibit 118  
15 marked for identification, one-page  
16 document, e-mail dated 9/14/11 from  
17 Blair Thomas to Alvin Albe and Jeffrey  
18 Anderson, production numbers  
19 TCW\_00000165.)

20 MR. KUMAGAI: This appears to be  
21 an e-mail from Blair Thomas to Alvin  
22 Albe and Jeffrey Anderson dated  
23 September 14, 2011, with the subject  
24 line, "Fund XIV & XV Investment  
25 Committees."

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2 BY MR. KUMAGAI:

3 Q. Mr. Albe, do you recognize this  
4 e-mail?

5 A. No.

6 Q. Sitting here today, can you  
7 describe what this e-mail is?

8 MR. SIVAN: Objection to form.

9 A. Well, he's calling a investment  
10 committee meeting, and it says that some of  
11 the items "involve top-ups or modification  
12 to existing portfolio investments," which  
13 -- okay.

14 There's nothing on -- nothing  
15 unusual about this, you know, memo or  
16 anything that I recollect as unusual.

17 Q. Do you understand what Mr.  
18 Thomas meant by "top-ups or modifications  
19 to existing portfolio investments"?

20 MR. SIVAN: Objection.

21 Calls for speculation.

22 A. No, I don't -- no, I don't know  
23 specifically what that means.

24 Q. You don't understand what a  
25 top-up to an existing portfolio investment

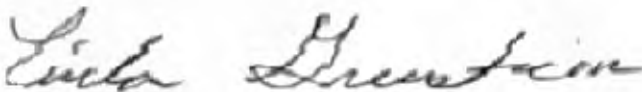
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2 C E R T I F I C A T E

3  
4 I, Linda J. Greenstein, Professional  
5 Shorthand Reporter and Notary Public in and  
6 for the State of New York, do hereby  
7 certify that, ALVIN R. ALBE, JR., the  
8 witness whose deposition is hereinbefore  
9 set forth, was duly sworn and that such  
10 deposition is a true record of the  
11 testimony given by the witness to the best  
12 of my skill and ability.

13 I further certify that I am neither  
14 related to or employed by any of the  
15 parties in or counsel to this action, nor  
16 am I financially interested in the outcome  
17 of this action.

18 IN WITNESS WHEREOF, I have hereunto set  
19 my hand this 10th day of August 2021.

20  
21 

22 Linda J. Greenstein

23  
24 My commission expires: January 30, 2025  
25